

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

MEYER REINMAN,

Plaintiff,

v.

ANNA NEUBAUER, EXECUTRIX OF
THE ESTATE OF EDWARD GANOTA,
et al.,

Defendants.

Civil Action No. 18-15483(SDW)(LDW)

ORDER

December 3, 2019

THIS MATTER having come before this Court upon Plaintiff Meyer Reinman's ("Plaintiff") Motion for Entry of Default and Motion for Default Judgment (D.E. 12, 13) against Defendant Anna Neubauer, in her capacity as Executrix of the Estate of Edward Ganota; and

WHEREAS Plaintiff did not obtain Entry of Default prior to moving for default judgment and no default has been entered, Plaintiff's Motion for Default Judgment will be denied; and

WHEREAS Defendant's attorney has since entered an appearance in this matter and has represented to this Court that service has never been effectuated on her client (D.E. 15, 16). To date, it appears that service has only been made on the Essex County Surrogate, but not the named Defendant. (*See* D.E. 3.) As such, Plaintiff's Motion for Entry of Default will also be denied;

IT IS, on this 3rd day of December, 2019,

ORDERED that Plaintiff's Motion for Entry of Default (D.E. 12) and Motion for Default Judgment (D.E. 13) are **DENIED**. Plaintiff is ordered to serve Defendant within ten (10) days, or this matter shall be dismissed.

SO ORDERED.

/s/ Susan D. Wigenton
SUSAN D. WIGENTON, U.S.D.J.

Orig: Clerk
cc: Leda D. Wettre, U.S.M.J.
Parties